CLAIM AMENDMENTS

1. (Previously presented) A recombinant construct comprising:

(a) a DNA sequence encoding a polypeptide having 3-hydroxy-3-methylglutaryl-Coenzyme A reductase enzyme activity, and

(b) a DNA sequence encoding a polypeptide having squalene epoxidase enzyme activity.

2. (Original) The recombinant construct of claim 1, further comprising at least one promoter operably linked to said coding regions.

3. (Previously presented) The recombinant construct of claim 1, further comprising a first promoter operably linked to said DNA sequence encoding a polypeptide having 3-hydroxy-3-methylglutaryl-Coenzyme A reductase enzyme activity and a second promoter operably linked to said DNA sequence encoding squalene epoxidase enzyme activity, wherein said first and second promoters may or may not be the same.

4. (Original) The recombinant construct of claim 2 or 3 further comprising an operably linked transcription termination sequence located 3' to each coding region.

5. (Original) A recombinant construct according to claim 3 wherein the promoters are selected from the group consisting of seed-specific promoters, organ specific promoters and constitutive promoters.

6. (Previously presented) A recombinant vector comprising operably linked in the 5' to 3' direction,

a promoter, a DNA sequence encoding a polypeptide having a 3-hydroxy-3-methylglutaryl-Coenzyme A reductase enzyme activity, and a transcription termination signal sequence;

a promoter, a DNA sequence encoding squalene epoxidase enzyme activity, and a transcription termination signal sequence.

7. (Original) The recombinant vector of claim 6 wherein said vector is a plant expression vector.

8. (Original) A transformed host cell comprising a recombinant construct of claim 1.

9. (Original) The transformed host cell of claim 8 wherein said cell is a plant cell.

10. (Original) A transformed host cell comprising a recombinant vector of claim 6.

11. (Original) The transformed host cell according to claim 10 wherein said host cell is a plant cell.

12. (Previously presented) A transformed host cell comprising a plant expression vector comprising,

(a) as operably linked components in the 5' to 3' direction, a promoter, a DNA sequence encoding a polypeptide having a 3-hydroxy-3-methylglutaryl-Coenzyme A reductase enzyme activity, and a transcription termination signal sequence; and

(b) as operably linked components in the 5' to 3' direction, a promoter, a DNA sequence encoding squalene epoxidase enzyme activity, and a transcription termination signal sequence.

13. (Original) The transformed host cell according to claim 12 wherein said host cell is a plant cell.

14. (Previously presented) A cell culture comprising transformed host cells according to any one of claims 8-13.

15. (Currently amended) A transformed plant comprising at least one transformed host cell of any one of claims ~~8-13~~ 9 and 11.

16. (Canceled)

17. (Previously presented) A transformed storage organ, comprising at least one transformed host cell according to any one of claims 8-13.

18. (Presently Amended) A transformed plant storage organ including at least one transformed plant host cell containing a recombinant vector comprising:

(a) As operably linked components in the 5' to 3' direction, a promoter, a DNA sequence encoding at least one polypeptide having 3-hydroxy-3-methylglutaryl-Coenzyme A reductase enzyme activity, and a transcription termination signal sequence; and

(b) as operably linked components in the 5' to 3' direction, a promoter, a DNA sequence encoding a polypeptide having squalene epoxidase activity, and a transcription termination signal sequence.

19. (Canceled)

20. (Presently amended) A process of increasing the formation of steroid pathway products in a transformed ~~host cell~~ plant as compared to an otherwise identical non-transformed ~~host cell~~ plant comprising:

(1) transforming a host plant cell with a recombinant vector comprising

(a) as operably linked components in the 5' to 3' direction, a promoter, a DNA sequence encoding a first polypeptide having 3-hydroxy-3-methylglutaryl-Coenzyme A reductase enzyme activity, and a transcription termination signal sequence; and

(b) as operably linked components in the 5' to 3' direction, a promoter, a DNA sequence encoding at least one polypeptide having squalene epoxidase enzyme activity, and a transcription termination signal sequence, and

(2) regenerating a transformed host plant cell into ~~said~~ the transgenic plant.

21-35. (Canceled)

38. (Canceled)

40. (Canceled)

42. (Canceled)

63-68. (Canceled)

INTERVIEW SUMMARY

On December 16, 2003, Applicants' undersigned representative and Examiner Kallis held a telephonic interview to discuss the claims rejected in the final Office Action. Applicants reiterated that the arguments made in the Response to Office Action showed enablement of the claims. The Examiner did not disagree with the comments made and indicated that he would discuss allowance of additional claims with his supervisor. No agreement was reached at that time. The undersigned again spoke with Examiner Kallis on December 19, 2003. The Examiner indicated at that time that claims 1-15, 17-18 and 20 would be allowed upon cancellation of the remaining claims and the clerical amendments to certain allowed claims that have been made herein.

Applicants would like to thank the Examiner for his time in the interviews.

COMMENTS

Claims 16 and 19 have been cancelled herein as duplicative of the claims from which they depend. The remaining claims have been cancelled in view of the indication of the Examiner that this would result in the allowance of the case. Applicants in no way acquiesce in any of the rejections made and reserve the right to prosecute cancelled subject matter in one or more continuing applications. Amendments have also been made herein to correct clerical errors.

The amendments are necessary and were not presented earlier because they are made pursuant to the recent identification by the Examiner in the telephonic interview discussed above of several clerical errors in the claims and additional allowable subject matter. Entry of the amendments is proper because it is believed to place the case in condition for allowance.

In light of the foregoing, Applicants submit that all claims are in condition for allowance, and an indication to that effect is earnestly solicited. The Examiner is invited to contact the undersigned (512)536-3085 with any questions, comments or suggestions relating to the referenced patent application.

Respectfully submitted,

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